

Hon. Chief Judge Ricardo S. Martinez
Hon. Magistrate Judge Brian A Tsuchida

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

BHARATBHAI ISHWARBHAI PATEL

Petitioner,

v.

WILLIAM P. BARR, et al.,

Respondents.

NO. 2:20-cv-00551-RSM-BAT

Stipulated Motion and Order
to Dismiss and Lift Stay

Note on Motion Calendar:

April 29, 2020

Petitioner Bharatbhai Ishwarbhai Patel (Mr. Patel) and Respondents stipulate and move to dismiss Mr. Patel's habeas petition and lift the stay of removal under Federal Rule of Civil Procedure 41(a)(1)(A)(ii) and Local Civil Rule 10(g), without fees or costs. Mr. Patel's habeas petition sought review of the procedures that led to U.S. Citizenship and Immigration Services' (USCIS) determination (and an immigration judge's affirmation of the determination) that he lacked a credible fear of persecution if he returned to India. Dkt. no. 1. He also sought and obtained an

order temporarily staying his removal. Dkt. nos. 2 & 3. USCIS has since placed Mr. Patel in full removal proceedings. As such, he is no longer subject to an order of removal and the Court's order staying removal should be lifted. Accordingly, the parties stipulate as follows:

1. Mr. Patel's habeas petition is dismissed without prejudice;
2. This Court's temporary stay of Mr. Patel's removal [dkt. no. 3] is lifted;
- and
3. All parties shall bear their own attorney fees and costs.

DATED this 29th day of April 2020.

Respectfully submitted,

BRIAN T. MORAN
United States Attorney

s/ Adam W. Boyd
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Attorneys for Respondents

IT IS SO ORDERED.

DATED: April 30th, 2020



Hon. Ricardo S. Martinez
Chief United States District Judge

CERTIFICATE OF SERVICE

The undersigned hereby certifies I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following CM/ECF participant(s):

US Attorneys

Email: usawaw.Habeas@usdoj.gov

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Dated this 29th day of April 2020.

/s/ Adam W. Boyd

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